
**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH**

KORREY OSTLER,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

**ORDER DENYING
MOTION UNDER 28 U.S.C. § 2255
TO VACATE, SET ASIDE, OR
CORRECT SENTENCE BY A PERSON
IN FEDERAL CUSTODY**

**Case No. 2:20-cv-910
Judge Clark Waddoups**

Before the court is Mr. Ostler’s Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody. (ECF No. 1). On September 20, 2019, Mr. Ostler pled guilty to one count of Interfering with a Federal Officer (*see* ECF Nos. 22 & 24 in Case No. 2:19-cr-173), and on December 9, 2019, he was sentenced to time served and a 36-month period of supervised release (*see* ECF Nos. 22 & 24 in Case No. 2:19-cr-173). On December 17, 2020, the judgment entered against Mr. Ostler was amended, and his period of supervised release was terminated effective December 21, 2020. (*See* ECF Nos. 82, 83, 84, & 85 in Case No. 2:19-cr-173). Because Mr. Ostler is no longer “a person in federal custody,” he is not entitled to the relief he seeks under 28 U.S.C. § 2255, and his motion is therefore **DENIED AS MOOT**. The Clerk of Court is directed to **CLOSE THIS ACTION**.

To the extent that Mr. Ostler wishes to pursue his claims asserted in his Motion that his constitutional rights were violated, he should consider whether such claims could be properly asserted in a civil action brought under 42 U.S.C. § 1983.

DATED this 30th day of December, 2020.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "Clark Waddoups", is written over a horizontal line.

Clark Waddoups
United States District Judge